

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
(CENTRAL DIVISION)

ELIZABETH R. STEFFENBERG,  
Plaintiff

V.

T. GENE GILMAN, et. al.  
Defendants.

CIVIL ACTION NO. 04-40113-FDS

**JOINT MOTION OF AVIVA LIFE INSURANCE COMPANY AND ELIZABETH R. STEFFENBERG FOR LEAVE TO FILE REPLY MEMORANDUM IN SUPPORT OF JOINT MOTION TO DISMISS WITH PREJUDICE**

Pursuant to Local Rule 7.1(B)(3), the Plaintiff, Elizabeth R. Steffenberg, and the Defendant, Aviva Life Insurance Company, move for leave to file a reply memorandum in support of their Joint Motion to Dismiss With Prejudice the Steffenberg's claims against Aviva Life Insurance Company. The moving parties believe that it is necessary to briefly address several points and mischaracterizations made by David M. Scoll in his opposition to their joint motion to dismiss and that a reply will assist the Court in ruling on the motion.

WHEREFORE, Elizabeth R. Steffenberg and Aviva Life Insurance Company respectfully request that this Court permit them to file the accompanying reply memorandum in further support of their Joint Motion to Dismiss With Prejudice the Steffenberg's claims against Aviva Life Insurance Company.

ELIZABETH R. STEFFENBERG

AVIVA LIFE INSURANCE COMPANY

By her attorneys,

By its attorneys,

/s/ Christine Collins  
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DATED: May 24, 2005